

Application No. 10/605,408
Docket No. YOR920000707US2
Amendment dated June 9, 2005
Reply to Office Action of February 9, 2005

REMARKS

In response to the Office Action filed February 9, 2005, Applicant has amended the specification to correct clerical errors. Applicant believes that these amendments do not present new matter. Favorable reconsideration and allowance of claims 1-23 are respectfully requested in view of the following remarks.

In the Office Action, claims 1-23 were rejected as follows:

- (1) claims 1-21 under 35 USC §102(e) in view of U.S. Patent Application Publication No. 2005/0003599 to Yeo et al. (Yeo);¹
- (2) claims 1, 6, and 13-16 under 35 USC §102(e) in view of U.S. Patent Application Publication No. 2004/0142541 to Cohen et al. (Cohen); and
- (3) claims 22 and 23 under 35 USC §103 in view of Yeo and in further view of U.S. Patent No. 6,391,695 to Yu.

The present application has the identical inventorship and its specification, claims, and drawings are identical to U.S. Patent Application Serial No. 09/823,855 filed August 31, 2001, which issued as U.S. Patent No. 6,603,156 on August 5, 2005, with the exception that the present application is

¹ Though claims 18-21 were not identified as being rejected in the first sentence directed to the rejection based on Yeo, in the subsequent discussion of the Yeo rejection it is evident that the omission of claims 18-21 was an oversight.

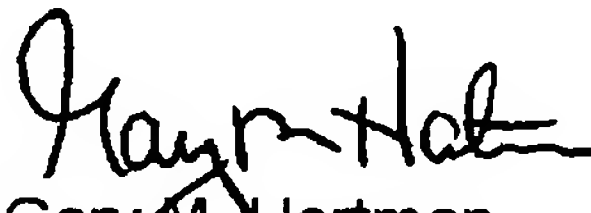
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directed to the claims that were restricted from this previous patent, namely, claims 18-40 of the previous application (numbered as claims 1-23 in the present application). As such, the records of the USPTO evidence that at least as of August 31, 2001, Applicant was in possession of the invention recited in pending claims 1-23.

Yeo has a priority date of February 7, 2002, and Cohen has a priority date of December 19, 2002. Both of these dates are later than August 31, 2001, and therefore the USPTO records establish that Applicant was in possession of his invention prior to the priority dates of Yeo and Cohen. As such, Yeo and Cohen are not proper prior art references, and Applicant respectfully requests withdrawal of the rejections of claims 1-23.

Should the Examiner have any questions with respect to any matter now of record, Applicant's representative may be reached at (219) 462-4999.

Respectfully submitted,

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